

**MINUTES OF THE VINEYARD TOWN
WORK SESSION AND COUNCIL MEETING
Vineyard Town Hall, 240 East Gammon Road, Vineyard, Utah
January 28, 2015, 6:00 PM**

6:00 PM WORK SESSION

PRESENT:

Mayor Randy Farnworth
Councilmember Dale Goodman
Councilmember Julie Fullmer

ABSENT:

Councilmember Sean Fernandez
Councilmember Nathan Riley

Staff Present: Attorney David Church, Planner Nathan Crane, Sheriff Deputy Collin Gordon, Deputy Treasurer Jacob McHargue, Public Works Director Don Overson, Recorder Pamela Spencer

Others Attending: Deborah Mecham

6:00 PM –

The Council and Staff discussed agenda items.

Mayor Farnworth mentioned that there was quite a bit of graffiti on benches. He also mentioned that he had received calls about 4-wheelers. He talked to Deputy Gordon about what could be done about the 4-wheelers. Council and staff discussed options for code enforcement in Vineyard.

7:02 PM COUNCIL MEETING

COUNCILMEMBERS PRESENT:

Mayor Randy Farnworth
Councilmember Sean Fernandez
Councilmember Julie Fullmer
Councilmember Dale Goodman
Councilmember Nathan Riley

ABSENT:

Staff Present: Attorney David Church, Planner Nathan Crane, Sheriff Deputy Collin Gordon, Planning Commission Chair Wayne Holdaway, Water Operator Sullivan Love, Public Works Director Don Overson, Recorder Pam Spencer

Others Attending: Deborah Mecham with Utah Valley Dispatch Special Service District, John Janson and Jake Young with Civil Solutions Group, Mike Hutchings and Stewart Park with Anderson Geneva, Kevin Scholz with R2R Ventures

Regular Session - The meeting was called to order at 7:02 PM. The invocation was offered by Planning Commission Chair Wayne Holdaway.

CONSENT ITEMS:

- a) Approval of minutes for October 22, 2014
- b) Approve the updated Personnel Policies and Procedures Manual

Mayor Farnworth asked for a motion to approve the consent items.

Motion: COUNCILMEMBER FULLMER MOVED TO APPROVE THE CONSENT ITEMS. COUNCILMEMBER FERNANDEZ SECONDED THE MOTION. ALL WERE IN FAVOR. THE MOTION CARRIED UNANIMOUSLY.

PLANNING COMMISSION UPDATE AND RECOMMENDATIONS TO THE COUNCIL:

Planning Commission Chair Wayne Holdaway mentioned that they discussed two apartment complexes, both on the agenda for tonight. He said they had an issue with metal front facings on one of the complexes, but ultimately thought it was something that was unique to the project and approved it. He said they also had an issue on the second complex having to do with open space and recreation amenities. He said the Planning Commission disagreed with the developer, citing that the path or sidewalk around the apartment building was not an amenity.

STAFF REPORT:

Planner – Nathan Crane – Mr. Crane reported that he had a meeting with Cottonwood Partners who prepared a master plan which would first be reviewed at the next Planning Commission meeting and then by the Council.

Public Works Director /Engineer– Don Overson – Mr. Overson explained that mud tracking was a problem. He said the developers had been warned that if they did not keep their sites cleaned, they would be shut down. Mayor Farnworth said he noticed that the field had become a road. Mr. Overson said he was working with Orem City to alleviate the problem.

Attorney – David Church – Mr. Church had no new items to report.

Utah County Sheriff Department – Collin Gordon – Deputy Gordon followed up on an issue with the Orem Firefighters not being able to find addresses. He spoke with the fire department and said that the information was accessible and if they had concerns to contact Deputy Gordon.

He wondered if there were questions about the 2014 statistics. Mayor Farnworth said he reviewed them but had nothing to compare it to. Councilmember Fernandez asked for a quarterly report.

Mayor Farnworth mentioned that the Orem Park was getting a lot of graffiti. He asked Deputy Gordon to forward the information to the proper authorities.

Treasurer – Jacob McHargue – Mr. McHargue was not present at the meeting.

Town Clerk/Recorder – Pamela Spencer – Ms. Spencer had no new items to report.

COUNCILMEMBER'S REPORTS:

Councilmember Fernandez – Councilmember Fernandez reported that there was a TSSD (Timpanogos Special Service District) board meeting scheduled for tomorrow.

Councilmember Fullmer – Councilmember Fullmer mentioned that today was Local Officials Day at the legislature and it went well. She said about 15 youth from Vineyard attend.

Councilmember Goodman – Councilmember Goodman had no new items to report.

Councilmember Riley – Councilmember Riley had no new items to report.

MAYOR'S REPORT:

Mayor Farnworth reviewed his upcoming meeting schedule. He said he was still meeting with Orem City regarding the Lakeside Park's parking issues and the fire contract. He had meetings with CUP (Central Utah Project) about water storage. He reported that he visited with Val Peterson of UVU, Senator Bramble, and Deidre Hendrickson about the importance of getting light rail to the Vineyard Hub.

OPEN SESSION: Citizen's Comments

Mayor Farnworth asked for public comment. None was given.

BUSINESS ITEMS:

8.1 Discussion – Sign Ordinance – Penalty

The Mayor and Town Council will discuss adding a penalty for non-compliance with the sign ordinance. The Mayor and Town Council will take the appropriate action.

Mayor Farnworth gave a brief history of the issue and asked Mr. Overson to lead the discussion.

Mr. Overson explained that a lot of signs in Vineyard were up illegally. He said the current ordinance did not allow signs to be on public property, but many signs were. He said people who owned the signs were notified and asked to remove them, but they had not been removed. Mr. Overson wondered how aggressive the Council wanted staff to be about the sign ordinance.

Councilmember Fullmer wondered how the sign owners were notified. Mr. Overson said they were notified by phone and email. He said they were able to contact almost all contractors. He said some signs were too big and other signs were in the wrong location.

Councilmember Fernandez said they wanted the homebuilders to be successful. He wondered what impact removing the signs would have on their success. Mr. Overson said his biggest concern was that they had an ordinance that was currently being ignored.

Mayor Farnworth wondered if there were complaints. Mr. Overson said he had not received any complaints, other than a homebuilder who was in compliance and complained about the others who were not.

Councilmember Fullmer wondered what the feedback was from the contractors when they were contacted. Mr. Overson said almost every one of them said they would remove them, but no one had complied.

Councilmember Riley thought that the ordinance should be enforced. He suggested that the next step would be to send a letter from the attorney notifying the sign owner that they had a certain number of days to remove it. He also suggested that the Sign Ordinance be modified. Mr. Crane discussed directional subdivision identification signs placed in strategic locations.

The Council agreed that they would like Mr. Overson to look into the directional subdivision identification signs placed in strategic locations and notifying sign owners about the change.

8.2 Discussion and Action – Internet Services to Town Hall/Offices

Public Works Director Don Overson will lead a discussion on internet services to the Town Hall/Offices. The Mayor and Town Council will take appropriate action.

Mr. Overson explained that the town currently had a T1 line and needed to update the internet service provider. He said there were two options: Century Link and First Digital. He said Century Link would make the connection for free but services would cost \$800 per month. He said First Digital would not give a quote. He asked the Council for authorization to negotiate a price with First Digital.

The Council discussed the current contract and other service providers. They agreed that Mr. Overson would contact and get quotes from First Digital, Digis, and Vivant.

8.3 Discussion and Action – Public Safety Building and Park Restroom

Public Works Director Don Overson will update the Mayor and Council on the Public Safety Building and Park Restroom Construction. Mayor and Town Council will take appropriate action.

Mr. Overson said he received a public safety building proposal for a Class B building and a site plan of 2,800 square feet. He said the engineering and architectural costs from Epic Engineering totaled \$46,300. He said those plans would design the whole site. He said the money had been budgeted for.

Mayor Farnworth asked for questions or comments. Hearing none, he called for a motion.

Motion: COUNCILMEMBER RILEY MOVED TO AUTHORIZE THE MAYOR TO MOVE FORWARD WITH THE AGREEMENTS AND APPROVE THE ENGINEERING AND ARCHITECTURAL EXPENDITURES FOR THE NEW PUBLIC SAFETY BUILDING. COUNCILMEMBER FERNANDEZ SECONDED THE MOTION. ALL WERE IN FAVOR. THE MOTION CARRIED UNANIMOUSLY.

Mr. Overson gave a brief history of the research for the park bathroom. He said it would cost \$100,000 just to bring in a pre-cast concrete restroom and set it on a pad. He explained that a custom-built restroom would be \$95,400, representing a savings of about \$42,000. He explained that the big cost was the graffiti and tamper proof fixtures installed inside the restroom. He said the custom build would include a pad around the outside, a sidewalk in the front, and installation of the spread footings, as recommended by a geo-technical engineer. Mr. Overson asked the Council to allow him to obtain three bids and allocate \$100,000 to get it started. He said demolition of the old restroom could be started within two weeks. He hoped to have the new restroom finished by April.

Councilmember Riley wondered about the fixtures and how long they would last. Mr. Overson said the contractor gave an estimate with higher-end fixtures that should last at least 15-20 years. He said most of it would be vandal and tamper proof.

Councilmember Riley thought they had discussed the issue for a while. He said the current restroom was not in good shape and would not get through the summer. He thought it was time to move forward with it.

Motion: COUNCILMEMBER RILEY MOVED TO AUTHORIZE STAFF AND THE MAYOR TO MOVE FORWARD WITH A BUDGET OF \$100,000 TO REPLACE THE PARK RESTROOM. COUNCILMEMBER FERNANDEZ SECONDED THE MOTION. ALL WERE IN FAVOR. THE MOTION CARRIED UNANIMOUSLY.

Mr. Overson asked if he could move forward with building the restroom if the bid was less than \$100,000.

Modified Motion: COUNCILMEMBER RILEY MOVED TO MODIFY THE MOTION SO THAT THE MAYOR COULD ACCEPT A BID IF IT WAS \$100,000 OR LESS IN ORDER TO PROCEED WITH THE REPLACEMENT OF THE RESTROOM. COUNCILMEMBER FERNANDEZ SECONDED THE MOTION. ALL WERE IN FAVOR. THE MOTION CARRIED UNANIMOUSLY.

8.4 Discussion and Action - Selection of Firms for the Transit Center and Lake Oriented Mixed Use Design Standard

The Mayor and Town Council will continue their discussion from the January 14, 2015 meeting and possibly act to select a firm for the Transit Center and Lake Oriented Mixed Use Design Standard. The Mayor and Town Council will take the appropriate action.

Mayor Farnworth reviewed past discussions and said the project scope had changed. Mr. Crane said he had reviewed the comments and changes from the Council with the firms.

Mr. John Janson said he understood that the Transit Center was possibly the future Town Center Zone. He thought visioning for the area made a lot of sense. He talked about the visioning process and the additional costs involved.

Councilmember Riley said he had a hard time trying to articulate what was important to him. He showed pictures of what the area might look like. He said what was missing from their initial presentation was the confidence that they would be able to take a picture and write the specifics with a broad enough frame work so that it could be done, without being too restricting.

Councilmember Riley talked about building around a theme and suggested tying in the heritage of the farmers, early settlers, and the steel plant. He wondered how to make a walkable community and do something that was really unique.

Councilmember Goodman wondered if Civil Solutions Group had the expertise and experience to provide what the Council was looking for.

Mr. Janson talked about their experience with the design process and their experience. He talked about coordinating with others for different areas of expertise, if needed. Mr. Young explained that they collaborated with other firms all the time and would invite them to their process. He said they would be willing to go to other firm's meetings as well. Mr. Janson said they would update the scope of their proposal and resubmit it to the Council.

Mr. Mike Hutchings with Anderson Geneva asked to make a comment. He said Anderson Geneva was concerned that the Council was moving forward without any input from them. He said they, as the landowner, felt like they were being left out of the design process. He said the Council was talking about changing the system and changing the zoning and use. He said they would like to be involved. He talked about the timing and how the Council had a discussion on the agenda to shut down Anderson Geneva's project until the process was worked out.

Mayor Farnworth said they did not want to make Anderson Geneva feel like they were being left out. He explained that the Council was just starting the process. He said property owners would be involved before decisions were made.

Councilmember Riley said Anderson Geneva initially brought forth a big vision of what it could potentially look like. He said he felt like Anderson Geneva created the vision and got the Council excited about it, but Vineyard did not have anything to ensure that it could be achieved.

Stewart Park with Anderson Geneva thought it was ironic that Mr. Riley would use a picture from their website. He said they spent thousands of dollars and many years trying to put together a master plan that included the town center. He said he hoped that someone would have contacted them since the last meeting, but no one did.

Mayor Farnworth pointed out that the Council was only trying to hire a firm that they felt comfortable with. He wondered if they wanted input on the firm that was selected.

Mr. Hutchings said they did. He said they also wanted input on whether or not the zoning and standards were going to change. He said they wanted to be part of the process rather than feeling like it was being imposed on them.

Councilmember Goodman said that Anderson Geneva did not look for direction from the Council when they spent all the time and money preparing their master plan. He said Anderson Geneva came to the city after decisions were made. He said the Council appreciated the work that was done in preparing the vision, and that the Council liked it. He pointed out that Anderson Geneva already had input because Councilmember Riley was showing a picture of their vision. Councilmember Goodman said the Council was not trying to stop anything. He talked about working with WatersEdge and making sure that the area was done right.

Councilmember Fullmer said the decision now was just to choose a firm. She said she understood what Mr. Park said at the last meeting and planned to involve Anderson Geneva. She thought it would be great for them to collaborate with the firm that was chosen.

Mr. Crane noted that when the Town Center and the Lake Oriented Mixed Use Districts were adopted, they made reference to the town adopting design standards. He said this was an implementation of that provision.

Mayor Farnworth said it became more of a priority because people were asking about the area. He said the Council thought it should be addressed sooner than later so development

was not slowed down due to having no design standards. He thanked Mr. Park and Mr. Hutchings for their comments.

8.5 Discussion and Action – Utah Valley Dispatch Special Services District

Deborah L. Mecham, Executive Director, Utah Valley Dispatch Special Service District will present their request for Vineyard to assistance in the funding of their new building. The Mayor and Town Council will take the appropriate action.

Ms. Deborah Mecham gave a presentation and discussed the background, size, and space of their current facility. She explained that a study was done to assess their needs for the next 25 years. She talked about current and future population and workload. She reviewed the final analysis and said the total cost of the project was just over \$5.3 million. She said they already had \$1.8 million for the project and needed funds for \$3.5 million. She said Vineyard's portion was a one-time payment of \$8,294. She said the decision was made to have each city finance their portion.

Ms. Mecham passed out the Building Agreement and said they requested that each city sign the agreement, and pay their portion of the costs in one or two payments.

Discussion ensued regarding the location, costs, and having a board member to attend meetings. Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER FERNANDEZ MOVED TO SIGN THE AGREEMENT WITH THE UTAH VALLEY DISPATCH SPECIAL SERVICES DISTRICT AND AUTHORIZE THE PAYMENT OF \$8,294 FOR THE BUILDING OF THE NEW FACILITY. COUNCILMEMBER GOODMAN SECONDED THE MOTION. ALL WERE IN FAVOR. THE MOTION CARRIED UNANIMOUSLY.

8.6 Discussion and Action – Development and Site Plan for the 255 Mill Road Apartments

R2R Ventures is requesting approval of the Development and Site Plan for the 255 Mill Road Apartments. The Mayor and Town Council will take appropriate action.

Mr. Crane reviewed the details of the Development and Site Plan. He discussed a discrepancy in the acreage and said the applicant agreed not to exceed the maximum number of 26 units per acre. He talked about the size of the units and the amenities. Mr. Crane said a detailed fire review was done to make sure they were in compliance with the fire lane, fire hydrants and turning radius. He talked about the usable recreation areas, utilities, parking, and proposed architecture. Mr. Crane mentioned that the site plan was sent to CUP for approval of a well relocation.

Mr. Kevin Scholz with R2R Ventures addressed the architecture. He said they wanted to do something that associated with the look and feel of a "mill town". He thought the modern architecture would appeal to the target demographic. He said they were trying to create an urban environment. He thought it would add a little variety to a landscape that was starting to look the same in design.

Councilmember Riley pointed out that the front had a completely different look and feel. He said it appeared that there was a huge blank wall on the 3-story building.

Mr. Scholz suggested that the Council make it a condition of approval and he would make some improvements on the facade. He said they would be happy to look at options.

Councilmember Fullmer mentioned a house in the Sleepy Ridge subdivision with similar architecture and said it took a lot of time for people to build around it. She wondered what was going to be built around the project that might not want to be near it.

Mr. Scholz explained that a development to the south was already underway. He talked about the project to the north. He said a project with 500 units was not the same as a single house. He mentioned that the type of architecture was currently very popular. He said they thought there was a market that would love the product.

Mayor Farnworth called for further questions or comments. Hearing none, he called for a motion.

Motion: COUNCILMEMBER GOODMAN MOVED THAT THE TOWN COUNCIL ACCEPT THE FINDINGS AND APPROVE THE REQUEST FOR THE DEVELOPMENT AND SITE PLAN FOR THE 255 MILL ROAD APARTMENTS SUBJECT TO THE FOLLOWING 11 STIPULATIONS RECOMMENDED BY THE PLANNING COMMISSION AND THE ADDITIONAL FACADE TREATMENTS ON THE ENDS OF THE BUILDINGS:

1. THE SITE PLAN SHALL CONFORM TO THE SITE PLAN, ELEVATIONS, AND LANDSCAPE PLAN DATED JANUARY 16, 2015, EXCEPT AS MODIFIED BY THESE STIPULATIONS.
2. ALL SIGNAGE SHALL REQUIRE A SEPARATE PERMIT.
3. IN ACCORDANCE WITH SECTION 1416 OF THE TOWN OF VINEYARD ZONING ORDINANCE, THE APPROVAL OF THE SITE PLAN SHALL EXPIRE IN (180) DAYS IF A BUILDING PERMIT HAS NOT BEEN ISSUED.
4. THE CIVIL CONSTRUCTION DRAWINGS SHALL MEET ALL REQUIREMENTS AS DETERMINED BY THE TOWN ENGINEER.
5. THE FINAL LANDSCAPE PLANS SHALL BE REVIEWED AND APPROVED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
6. ALL BUILDING AND FREE STANDING LIGHTING SHALL BE FULLY SHIELDED AND INCLUDE CUT-OFF LENSES. ALL LIGHT LEVELS SHALL NOT EXCEED ONE FOOT CANDLE AT THE PROPERTY LINE. THE MAXIMUM HEIGHT OF THE FREESTANDING LIGHTINGS IS 16 FEET.
7. ALL PARKING CANOPIES SHALL INCLUDE A FULL FASCIA LOCATED AT THE EDGE OF THE CANOPY.
8. THE HEIGHT OF THE SOIL ON THE BERM SHALL BE RAISED TO THREE FEET.
9. FINAL APPROVAL OF THE CONSTRUCTION PLANS FROM CUWCD IS REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
10. A PUBLIC ACCESS EASEMENT TO THE TRAIL IS REQUIRED TO BE RECORDED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
11. THE PROJECT SHALL NOT EXCEED A MAXIMUM NUMBER OF 26 UNITS PER ACRE.

COUNCILMEMBER RILEY SECONDED THE MOTION. ALL WERE IN FAVOR. THE MOTION CARRIED UNANIMOUSLY.

8.7 Discussion and Action – Temporary Land Use Regulation Ordinance 2015-01

Town Council is requesting an adoption of a temporary land use regulation to prohibit the approval of development applications for six months in the Transit Center Zoning District and the Lake Oriented Mixed Use District. It is anticipated that the Town Council will adopt Design Standards within this time-period. The Mayor and Town Council will take appropriate action.

Mr. Crane explained that when the Town Center and Lake Oriented Mixed Use Zoning Districts were adopted there was a provision included regarding the town adopting design guidelines. He said staff believed that the Council had the ability to adopt the design standards to ensure that the vision for the area was implemented. He said the Utah State Code allowed a municipality to adopt a temporary land use moratorium for up to six months. He mentioned that the consultant for the design standards indicated that they could complete them within a four-month timeframe, allowing two months for adoption. He said it was always the intent to work with the stakeholders.

Mayor Farnworth wondered if going through the process of adopting the design standards would change the outcome or the vision of the area.

Mr. Crane believed that the design standard process would add specificity to what Vineyard currently had as a general zone. He thought the advantage in setting the standards was that the town would define the vision for the area and ensure that it could be implemented.

Mr. Overson thought that without the design standards the town would have a hard time getting what had been envisioned. He thought Vineyard needed the design standards and a better concept of what they would like to see in those districts.

Mayor Farnworth wondered if it would deter developers. He wanted to make sure that the town was not being unfair or over aggressive.

Mr. Crane thought that some might see it as a deterrent, but thought that it would be beneficial for everyone in the long run. He said he had used the process a number of times to address a certain subdivision or development type. He thought it was in the State code for a reason and thought there was a compelling public interest to do it.

Councilmember Riley asked Mr. Hutchings what they thought the Council was preventing them from doing by adopting a moratorium. He said he did not understand why it would be such a threat to them.

Mr. Hutchings said it shuts down their ability to market the property for six months. He said there was also a concern about a particular developer that they had been talking to about purchasing 18 acres to build the transit station.

Councilmember Riley said that as they were negotiating with a potential buyer, there was no conversation with the town as to what that was. He said the vision of what the town thought the stop should be might be very different from what Anderson Development was trying to get the buyer to commit to. He said that was why the Council wanted to go through the process to identify the vision and have something concrete to share with builders.

Mr. Hutchings said they would be agreeable to the whole planning process as long as there was no moratorium. He said they would commit that the property would not be sold to anyone during the 6-month period. He said they had contractual agreements that nothing could

be built without Anderson's approval. He said no site plan would be submitted during the 6-month period.

Councilmember Riley said he wanted a plan and documents in place that led the growth of the area.

Mr. Church said it would be the same legal effect as a moratorium if the landowner was committing, on the record, that they would not file any development application for a 6-month period. Further discussion ensued. Mr. Church explained that no extension would be permitted at the end of six months. He explained that the current State code said that if a rezoning process was officially started then developers could not get a vested right by filing an application while the process was going on, unless the process had gone on for more than 180 days. He said this meeting would officially start that process.

Mr. Hutchings stated that he would no longer oppose the moratorium.

The Council discussed whether or not they needed to declare an official moratorium on the property. They discussed the possible impact to Anderson Geneva and potential buyers. They agreed that they did not want to slow down the development of the property and needed to get the planning process done in a timely manner.

Councilmember Goodman thought they should not forget about Utah Valley University because the transit station would impact them as well. He said Anderson Development was recognized as the majority landowner. He said the town wanted to work with them and also wanted to make sure future development was something that was good for Vineyard.

Motion: COUNCILMEMBER FERNANDEZ MOVED THAT THE TOWN COUNCIL FORMALLY INSTRUCT THE PLANNING COMMISSION TO BEGIN THE PROCESS WITH THE CONSULTANTS TO LOOK AT THE DESIGN STANDARDS FOR THE TRANSIT CENTER/TOWN CENTER ZONE AND REPORT BACK WITHIN THE 6-MONTH PERIOD OF TIME WITH RECOMMENDED ORDINANCES. COUNCILMEMBER RILEY SECONDED THE MOTION. ALL WERE IN FAVOR. THE MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT :

Motion: COUNCILMEMBER GOODMAN MOVED TO ADJOURN THE MEETING AT 9:47 PM. COUNCILMEMBER RILEY SECONDED THE MOTION. ALL WERE IN FAVOR. THE MOTION CARRIED UNANIMOUSLY.

Next regularly scheduled meeting is February 11, 2015.

MINUTES APPROVED ON: April 22, 2015

CERTIFIED CORRECT BY: /s/ Pamela Spencer
P. SPENCER, TOWN CLERK/RECORDER